

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Knology, Inc.,)	
)	
Petitioner,)	
)	
v.)	File No. PA 00-007
)	
Georgia Power Company,)	
)	
Respondent.)	

ORDER

Adopted: October 4, 2002

Released: October 8, 2002

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On October 31, 2000, Knology, Inc. (“Knology”) filed a Petition for Temporary Stay,¹ asking the Commission to issue an order staying Georgia Power Company’s attempt to increase the annual pole attachment rate it charges Knology.

2. On November 21, 2001, the Cable Services Bureau² released an order granting the Petition “pending a status report by the parties concerning their negotiation in good faith of a new pole attachment rate agreement in accordance with the Commission’s rules.”³

3. Since that time, the parties have been engaged in negotiations to arrive at an interim settlement of their pole attachment rate dispute. They recently reported that their negotiations have been successful, and, on October 2, 2002, they filed a Joint Motion to Dismiss the Petition with prejudice and to terminate the Commission’s Stay Order.⁴

4. We are satisfied that granting the Joint Motion will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

¹ Petition for Temporary Stay, File No. PA 00-007 (filed Oct. 31, 2000) (“Petition”).

² Effective March 25, 2002, the Commission transferred responsibility for resolving pole attachment complaints filed pursuant to section 224 of the Act from the former Cable Services Bureau to the Enforcement Bureau. *See Establishment of the Media Bureau, the Wireline Competition Bureau and the Consumer and Governmental Affairs Bureau, Reorganization of the International Bureau and Other Organizational Changes*, Order, 17 FCC Rcd 4672 (2002); 47 C.F.R. § 0.111(a)(12).

³ *Knology, Inc. v. Georgia Power Co.*, Order Granting Temporary Stay, 16 FCC Rcd 20413, ¶ 1 (2001) (“Stay Order”).

⁴ Joint Motion to Dismiss, File No. PA 00-007 (filed Oct. 2, 2002) (“Joint Motion”).

5. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 224, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Joint Motion IS GRANTED.

6. IT IS FURTHER ORDERED that the Petition for Temporary Stay IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau